

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MITSUBISHI CHEMICAL CORPORATION, MITSUBISHI TANABE
PHARMA CORPORATION, ENCYSIVE PHARMACEUTICALS
INC., SMITHKLINE BEECHAM PLC and SMITHKLINE
BEECHAM CORP. d/b/a GLAXOSMITHKLINE,

Plaintiffs,

-against-

BARR LABORATORIES, INC.

Defendants.
-----X

Case No.: 07 CA 11614 (Koeltl)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JOSE QQUENDO, being duly sworn, deposes and says:

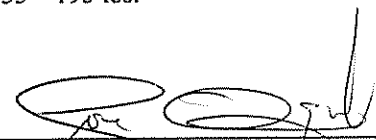
1. That I am not a party to this action, am over eighteen years of age and resides in the State of New York;
2. That on December 28, 2007, at approximately 1:09 p.m., I personally served a true and correct copy of the **SUMMONS IN A CIVIL ACTION, COMPLANT and RULE 7.1 STATEMENT**, all upon **BARR LABORATORIES, INC.**, by Personal Delivery, via Mr. Richard Dunne, who identified himself as a "Security Operations Manager and employee" as well as being authorized, as Agent to accept service on behalf of Barr Laboratories, Inc., which service was effected at their business address indicated below:

BARR LABORATORIES INC.
223 Quaker Road / 1st Floor
Pomona, New York 10970

3. **Mr. Richard Dunne** can best be described as:

Male – White skin – Black hair - Approximately 44 – 54 years of age, 5'7"– 5'11" and 155 – 195 lbs.

Dated: December 28, 2007
New York, New York



JOSE QQUENDO
License No.: 1154641

Sworn to before me on this the 28th day of December 2007.



NOTARY PUBLIC

HOLLY ROLDAN
Notary Public, State of New York
No. 01RO6125752
Qualified in New York County
Commission Expires April 20, 2009

□AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern District of New York

Mitsubishi Chemical Corporation, Mitsubishi Tanabe
Pharma Corporation, Encysive Pharmaceuticals Inc.,
SmithKline Beecham plc and SmithKline Beecham
Corp. d/b/a GlaxoSmithKline

V.

Barr Laboratories, Inc.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CV 11614
JUDGE KOELTL

TO: (Name and address of Defendant)
Barr Laboratories, Inc.
223 Quaker Road
Pomona, New York 10970

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Anthony J. Viola
Andre K. Cizmarik
EDWARDS ANGELL PALMER & DODGE LLP
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Attorneys for Plaintiff Encysive Pharmaceuticals Inc.
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an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

(By) DEPUTY CLERK

James J. McMahon

CLERK

J MICHAEL MCMAHON

DATE

DEC 28 2007